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RICHMOND, VA., SATURDAY, MAY 26, 1906.

PRICE TWO CENTS.

CHEMICAL TRUST AND OFFICERS ARE INDICTED

Charged With Conspiracy and Combination in Restraint of Trade.

CASE TO BE TRIED AT OCTOBER TERM

Eighty Manufacturers Throughout Country Must Appear in Nashville Court.

PRESIDENT MORGAN AND V.-C. COMPANY HEAD LIST

Punishment for Alleged Violation of Section 5440 Charged in One of Six Counts is Two Years in Prison and a Fine of \$10,000.

(By Associated Press.)
NASHVILLE, TENN., May 25.—The grand jury of the United States Circuit Court, which has been investigating the alleged fertilizer trust for the past four weeks, today returned an indictment against eighty manufacturers throughout the country, including a number of local men. The indictment contains six counts, detailing in specific form alleged violations of the antitrust laws, and charging the defendants with combining and being engaged in a trust or combination. The defendants live in various parts of the country, where fertilizers are manufactured, and certified copies of the indictment will be sent to the various districts in which the defendants reside and there served. The defendants will be required to execute bonds for their appearance at the October term of the court in this city, when the cases are to be tried.

Charge and Penalty.

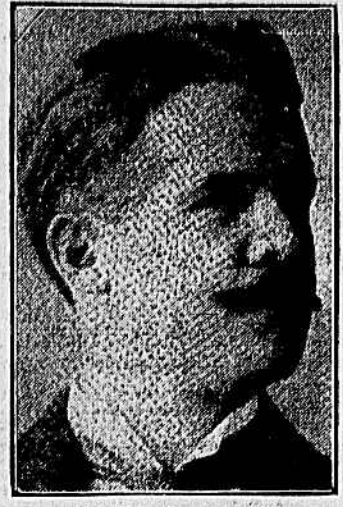
The grand jury examined during the investigation 140 witnesses, and the indictment returned is a voluminous document. The six counts in the indictment are in a double series of three each. The first charge the defendants with engaging in a conspiracy, the second counts charge the defendants with conspiracy, and the third with conspiracy, to commit the offense of engaging in a combination as defined by the Sherman act.

The punishment under section 5440 is two years in prison and a \$10,000 fine. The third count is new in form and procedure. It charges the committing of an offense against the United States by engaging in a combination in restraint of trade, as defined and prohibited by the Sherman act.

Firms Indicted.

- The following firms and corporations were indicted:
- Virginia-Carolina Chemical Company, of New Jersey.
 - Armour and Company, of Illinois.
 - Acme Manufacturing Company, of North Carolina.
 - Alabama Chemical Company, of New Jersey.
 - Anderson Phosphate and Oil Company, of South Carolina.
 - Ashesboro Fertilizer Company, of South Carolina.
 - Blackheath Manufacturing Company, of Georgia.
 - Etowah Fertilizer Company, of South Carolina.
 - Federal Chemical Company, of Delaware.
 - Federal Chemical Company, of Kentucky.
 - Furman Farm Improvement Company, of Georgia.
 - Goulding Fertilizer Company (Limited), of Great Britain and Ireland.
 - Goulding Fertilizer Company, of Florida.
 - Gulfport Cotton Oil Fertilizer and Manufacturing Company, of Georgia.
 - Guano Mixture Guano Company, of Georgia.
 - Jackson Fertilizer Company, of Mississippi.
 - Marlette Fertilizer Company, of Georgia.
 - Meridian Fertilizer Company, of Mississippi.
 - National Fertilizer Company, of Tennessee.
 - New Orleans Acid and Fertilizer Company, of New Jersey.
 - Old Dominion Guano Company, of Georgia.
 - Planters' Chemical Company, of Alabama.
 - Read Phosphate Company, of West Virginia.
 - R. S. Royster Guano Company, of Virginia.
 - Savannah Guano Company, of Georgia.
 - Southern States Phosphate and Fertilizer Company, of Georgia.
 - Standard Chemical and Oil Company, of Alabama.
 - Standard Guano and Chemical Manufacturing Company, of Louisiana.
 - Swift and Company, of Illinois.
 - Tennessee Chemical Company, of Tennessee.
 - Tennessee Valley Fertilizer Company, of Alabama.
 - Firms of A. D. Adair and McCarthy Brothers, of Adair, Iowa, and Company, which formerly carried on business in North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Arkansas and Tennessee.

Individuals Indicted.
Following is a list of the individuals indicted as officers, agents or attorneys.



GEORGE W. PERKINS.
The appellate division of the Supreme Court of New York yesterday held him guiltless of crime for a contribution from the New York Life Insurance Company to the Republican campaign fund. He was discharged from custody.

PERKINS FREE AND GUILTLESS

Appellate Division of New York Supreme Court Hands Down Decision.

JEROME TO TAKE APPEAL

Justices All Declare Contributions to Political Fund Did Not Constitute Larceny.

(By Associated Press.)
NEW YORK, May 25.—The appellate division of the Supreme Court today handed down a decision discharging from custody George W. Perkins, whom the Supreme Court had held to await the action of the grand jury on a technical charge of grand larceny in connection with the campaign contributions of the New York Life Insurance Company to the Republican national committee. The proceedings against Mr. Perkins were instituted by District Attorney Jerome for the purpose of securing a ruling upon what charge, if any, those who made such contributions may be indicted. A charge was made against Mr. Perkins, who was formerly vice-president of the New York Life Insurance Company, and his case was immediately taken before Supreme Court Justice Greenbaum on a writ of habeas corpus. Justice Greenbaum dismissed this writ and held Mr. Perkins for action by the grand jury. Each justice wrote an opinion that Mr. Perkins could not be held guilty of larceny.

Prevailing Opinion.

Justice McLaughlin, who wrote the prevailing opinion, said: "If the facts set out in the depositions upon which the warrant here was issued be construed in the most liberal way, consistent with a judicial determination, I am of the opinion that such facts do not establish that the crime of grand larceny has been committed. The same is defined by the penal code. The defendant had a right to give of his own funds to the chairman of the Republican National Committee. The relator made the contribution at the request of the president of the insurance company, with the express understanding that it would repay him. The money belonging to the insurance company was appropriated 'openly and avowedly' by the relator, after all the facts had been stated to the finance committee, to reimburse him for the money which he had previously advanced. It was not stealthily taken nor was there anything secretive about it. The fact that the check was drawn payable to the order of J. P. Morgan and Company, and so entered on the insurance company's books, is of no importance, because it does not appear that the relator had anything to do with the drawing of the check or had any knowledge of the entry of the company's books."

EMPLOYED TO KILL COMPETITORS OFF

Former Employee of Standard Oil Reveals Methods Used By the Trust.

(By Associated Press.)
CLEVELAND, OHIO, May 25.—George L. Lane, an employee of the Standard Oil Company previous to 1901, testified at the Interstate Commerce Commission Standard Oil hearing this afternoon that his business for several years for the Standard Oil Company was to drive out the independent dealers, to kill them off. He was told that if he could not do the job somebody else would be sent to put the Standard's competitors out of business. "I was given rigid instructions, and I followed them as close as possible. I succeeded in driving out all competition in a dozen big towns in Northern Ohio, and the only failure I made was in Youngstown, where a man by the name of Filley took it out, notwithstanding that we spent as high as six dollars a gallon to give oil away. The whole idea was to discourage the small independent dealer and buy his customers up at any cost. We represented ourselves as independents, but we got our supplies from the Standard."

A score of the witnesses were examined at today's session, and the investigation is already prolific of results.

ADVERTISE FOR GAS ENGINEERS

Warm Meeting of Joint Sub-Committee Last Night.

POLLOCK AND TURPIN FOR COMPETITION

Opposed to Selecting Hunt and Company or Any Other Gas Expert Until Many Are Heard From—Decide to Advertise for Them.

After a fiery session of nearly two hours, the joint subcommittee from the Committees on Finance and Light last night adopted a resolution offered by Mr. Pollock, providing that the chairman advertise in the leading gas journals for expert gas engineers, who will furnish plans and specifications for modernizing and completely rehabilitating the city gas works. Those who propose to compete for the work shall be independent engineers, not connected with any concern in the business of gas plant building, and they shall report to the committee at 8 o'clock on June 11th. There was much cross-firing and debating throughout the meeting, and it could be seen at once that there was sharp division of sentiment among the members as to the best policy to pursue. Councilman Gilbert K. Pollock, of the Finance Committee, led a fight for the broadest competition in the whole matter, and about the only real support he had was President William Turpin, who, though ex-officio a member of all committees, has no vote. He proved especially valuable in "back-stopping" Mr. Pollock, and bringing out interesting matters by way of inquiry.

Mr. Wood Presides.

Chairman James B. Wood, who presided over both Light and Finance, occupied the chair, and the following members were present: From Light, Messrs. Miner, Stein and Wagner; from Finance, Messrs. Folliard, Pollock and Spence. Absent, Mr. Garber, from Light. Chairman Wood stated from the chair that he was opposed to appointing any man connected with the gas trust as expert engineer. He thought Mr. Howland, Bruce, who made the recent investigation and report was so connected. Mr. Wood asked Mr. Turpin if he thought men who had been discrediting the works should be allowed to compete for the work. "If you refer to Mr. Bruce, I would say yes," replied Mr. Turpin, "for we are now proceeding on information furnished us by him."

How About Bruce.

Mr. Turpin wished to know how the committee would know how Mr. A. or Mr. B. was a gas expert, and then he asked: "What's the objection to having Mr. Bruce down here again? Doesn't he know more about conditions here than any one else?" "He is prejudiced in favor of the gas trust," replied Mr. Miner. Mr. Pollock made a game fight for letting all gas experts compete and declared that Hunt and Company should not have a monopoly. Some member said they had given satisfaction in superintending the work of building the holder, and that this was a sufficient recommendation. "There is a difference between a great gas plant and a gas holder," interposed Mr. Turpin. "A man might select a mule for you, but you would not trust him to choose you a wife."

Has His Own Ideas.

"I have my own fixed ideas," he said.

(Continued on Second Page.)

HERRERA REFUSED TO WEIGH IN; NO FIGHT

Long-Awaited Battle in Los Angeles Did Not Occur. Crowd Exasperated.

(By Associated Press.)
LOS ANGELES, CAL., May 25.—There was no fight between Battling Nelson, the light-weight champion, and Aurelio Herrera to-night, as scheduled. After an almost interminable wait of two and a half hours, the crowd was dismissed at 10:50 o'clock because Herrera refused to weigh in. Before the crowd of 4,500 was finally dismissed there was a squabble between the fighters and their managers over the weight, both sides made charges of share practices on the part of the other in the matter of weight.

Mrs. Davis Improving.

(By Associated Press.)
NEW YORK, May 25.—Continued improvement was reported today in the condition of Mrs. Jefferson Davis. It is now two days since she had a sinking spell.

KING AND FUTURE QUEEN OF SPAIN.



KING ALFONSO, PRINCESS ENA, PRINCESS HENRY.

COMPANY DRIVEN OUT BY CASSATT

Sensational Charge Made Before Commission By Manager of Philadelphia Firm.

FAILED TO DONATE STOCK

Car Supply Cut Short, He Says, and Business Practically Ruined.

(By Associated Press.)
PHILADELPHIA, May 25.—Anouncement was made at the Pennsylvania Railroad office in this city today that President Cassatt sailed for home from Cherbourg, France, this morning. Mr. Cassatt went abroad for a holiday trip on May 24th. It is believed that a revelation made by the Interstate Commerce Commission are responsible for Mr. Cassatt's sudden change of plans. He is expected to reach this country Saturday, June 2d.

(By Associated Press.)

PHILADELPHIA, PA., May 25.—Several interesting developments marked the closing session of the Interstate Commerce Commission's investigation into the alleged discrimination by railroads in the distribution of cars in the Baltimore coal field. The commission adjourned today to a time and place to be decided upon later. Next week the members of the commission will go to Washington to examine the evidence presented during the hearings in this city and it is likely the investigation will be resumed in that city either the latter part of next week or early the following week.

Testimony of a sensational character was given today by F. Albertson Boyneburg, general manager of the Belknap Brothers, coal operators, with offices in this city. He stated that within the last two and a half years his company's car supply had been so inadequate that his business had been practically ruined. He declared that other companies had been favored in the distribution of cars and said he had no doubt that discrimination had been practiced against his company because it had failed to make gifts of stock to the railroad officials. He gave it as his opinion that President A. J. Cassatt was responsible for the discrimination.

Made Allowances.

Through railroad employees it was developed that for a number of years and until recently the Belknap-White Company's coal was shipped to Tidewater road estimated the weight of each car. The investigation will be resumed in that city either the latter part of next week or early the following week.

It was also shown that the Susquehanna Coal Company, which is owned by the Pennsylvania Railroad Company, has the exclusive use of Greenville, N. Y., New York harbor and has a virtual monopoly of the side of bunker coal to tugs and small steamers. It was brought out that certain coal companies are given allowances for operating branch lines or spurs from their mines to the main line, and that the railroad made this allowance to the Latrobe-Cumminsville Company, when the spur was operated by the railroad.

H. H. Large, assistant coal freight agent of the Pennsylvania Railroad, was questioned concerning allowances to coal companies. Mr. Glasgow asked the witness if any allowance was made to the Pennsylvania Coal and Coke Company. Mr. Large said "No," because that company operated its branch voluntarily, and would prefer to do the work.

Business Ruined.

F. A. Von Boyneburg, general manager for Belknap Brothers and Company, mine operators, testified that the business of the company had been practically ruined through inability to secure cars. From 4,100 cars in 1901 the supply was reduced gradually to 522 in 1905. The witness said that at one period his company was compelled to sell coal that cost \$1.50 to produce as low as \$1.05. In order to keep the miners at work, the mines, he said, had been operated at a loss for the past two years and a half. He had complained, he said, to almost every official.

(Continued on Second Page.)

SPAIN GIVES MAGNIFICENT WELCOME TO FUTURE QUEEN

Princess Ena, Greeted By King and People, Arrives at Madrid in State—Waved Hand To Great Crowds.

(By Associated Press.)
MADRID, May 25.—The arrival of the future Queen of Spain at the Pardo Palace this evening was the signal for a magnificent ovation, testifying Spain's welcome to her new sovereign. At 6:30 o'clock the royal train reached the outskirts of the Palace Park. Here a special station had been prepared, consisting of a majestic floral arch, beneath which was suspended a huge crown of red roses and yellow jonquills. On either side of the arch was a mast, bearing British and Spanish banners. It was dusk as King Alfonso and Princess Ena entered the floral station. Awaiting them there were the queen mother, the infants, Isabella, Dulalila and Maria Theresa, Prince Ferdinand, and the members of the government and the officials of Madrid. The queen mother embraced her son and his prospective bride. The party then entered carriages, took up the route to the palace. Princess Ena, with her mother, Princess Henry, of Battenburg, and the queen mother, occupied the first coaches, while King Alfonso, mounting his horse, galloped alongside, accompanied by Princes Ferdinand and Carlos. Enormous crowds had assembled outside the palace gates, the government giving the freest rein to popular curiosity. The passage of the royal party was greeted with tumultuous cheerings and cries of "Long live the Queen; long live the King," and "Long live Spain." King Alfonso directed that the public be admitted to the grounds. The crowds surged up the avenues, forming a dense throng immediately in front of the portico. Then the King appeared on the upper balcony, holding Princess Ena by the hand. Princess Ena, with a radiant smile, gave a characteristic English wave of her hand. This democratic beginning has produced a marked impression on the public, and all Madrid responds to-night with praises of Princess Ena's charms. King Alfonso greeted his bride as she entered Spain at dawn, early this morning, amidst an enthusiastic popular welcome and the homage of the Spanish ministry. The meeting of the King and the Princess, although a ceremonious State function, was none the less marked by the unaffected joy and cordiality of the young monarch. The spontaneous enthusiasm of the people seemed to give greatest satisfaction to the King.

HOUSE IN UPROAR OVER RATE BILL

Question of Veracity Raised Between Cooper, of Wisconsin, and Hepburn, of Iowa.

EXCITEMENT VERY GREAT

(From Our Regular Correspondent.)
WASHINGTON, D. C., May 25.—It looks as though there is to be a third struggle over the railroad rate bill, this time in conference. The Senate has not named its conferees, but it is understood they will be Senator Aldrich, Elkins and Tillman.

The two Republican conferees for the House, Representatives Hepburn and Sherman, will stand out for non-concurrence, while the Democrat, Representative Richardson, of Alabama, will favor concurrence in the Senate amendment. The House Republicans backed by the leaders object to the Senate amendments mainly because they embrace the principal features to which the House Republicans have objected. One of the main bones of contention, which is contained in the bill as it came from the Senate and which the House Republicans kept out of the Hepburn bill, was the clause requiring courts issuing a restraining order to give notice to the hearing. The House Democrats tried in vain to get this in and now the House Republicans will fight it as giving away all their long maintained resistance to anti-injunction propositions. This, the Republicans are afraid will yield too much to the labor element of the country.

The Republicans, it is said, will, responsive to the demands of negro citizens, see to it there is no discrimination in the sleeping car accommodations on the basis of race or color. This would provoke the vote of every Democrat against the bill.

Sent to Conference.

The rate bill was sent to conference by the House today, May 24; yeas, 165; nays, 14. Twenty-five Republicans voted with the Democrats in the negative, taking the position that they would like to vote directly in favor of concurring in the Senate amendments relating to the subjects named. The House was turbulent during the consideration of the rule sending the rate bill to conference, the fear of many members being that the rule which disagreed that they would like to vote directly in favor of concurring in the Senate amendments relating to the subjects named.

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HIS MARKS GIVEN; HE GOT CONTRACT SAYS MR. MOORE

Merchant's Statement as to Course of Mr. Richardson Creates Stir.

LATTER TO TESTIFY AND WILL NOT TALK

Mr. Moore Declares Mr. Richardson An Honorable Man, Who Only Saw Him Done Justice.

COL. LAWLESS HEATED IN HIS DENUNCIATION

Defends the Well-Known Richmond Lawyer, Asserts That Statements Made Are Unfounded and Do Worthy Men Injustice.

Hon. D. C. Richardson will probably go to Williamsburg to-day or Monday to testify before the Hospital Investigating Committee. He had not received a summons late yesterday afternoon, but expected to get one last night or this morning. Mr. Richardson declined last night to make any statement with reference to the testimony given yesterday by Mr. J. S. Moore to the effect that Mr. Richardson's knowledge while on the hospital board, of Mr. Moore's private marks on samples led to the award of a contract to Moore, while previously he had not been able to get his bids considered. Mr. Moore endorsed what Mr. Richardson had done, and said he was one of the best and purest of men. Mr. Richardson would only say that the people knew his character. Mr. Richardson preferred not to say anything yesterday, on the ground that it was proper for him to make his first statement to the committee.

(Special from a Staff Correspondent.)

WILLIAMSBURG, VA., May 25.—The testimony of Mr. J. S. Moore, of Richmond, to-day, to the effect that he had furnished Mr. D. C. Richardson, while the latter was a member of the Eastern State Hospital Board, the private marks on his samples upon which he based his bid for supplies, in order that he (Richardson), might "test the rascality" of the board, created the sensation of the day in the investigation.

Mr. Moore's further statements that he believed the Governor made his appointments for political purposes and that the appointees got out of the offices all they could, also created a stir.

Mr. Moore stated that for several years he had made bids for supplies, but that the board seemed to disregard his bids, and he stopped bidding. Mr. Richardson asked him, he said, why he had stopped and he told him that he could not get his bids considered.

Mr. Richardson then, according to witnesses, told him to let him have a private mark, and when the bids came up, all things being equal, he would see that Mr. Moore got justice.

Colonel Lawless severely cross-questioned the witness and asked if he did not know he was charging Mr. Richardson with being a rascal. Mr. Moore replied that he did not think so and that Mr. Richardson was a man of the highest integrity.

Under cross-examination by Colonel Lawless Mr. Moore finally testified that his knowledge of Mr. Richardson's character, and of his position as an officer of the hospital was only hearsay, and he later changed his expression to "favoritism."

Colonel Lawless denounced the statement in regard to Mr. Richardson having used the private marks on samples as false, and when the bids came up, the statement that rascality obtained in the board and that the Governor appointed officers to these institutions only for political purposes, and also that they got out of it all they could.

Saw No Impropriety.

In answer to a question put by Mr. Ould, who stated that this was in direct disregard of the rules of the institution, Mr. Moore stated that he saw no impropriety in the action of Judge Richardson.

Colonel Lawless demanded of the committee that Mr. Richardson be summoned at once to answer the charges, and that he be made upon his oath, and Chairman Sadler, in answer, said that every opportunity would be given Judge Richardson to appear and deny the charge.

The feeling here is that Judge Richardson has been misunderstood and misjudged. He is expected to appear before the committee to-morrow.

Colonel Lane Again.

Colonel Lane, the commissioner of hospitals, spent several hours on the stand, and engaged in a general discussion of the affairs of the hospital. He spoke of the various needs of the institution, and stated that he had been urged to make improvements, but without success.

Colonel Lane spoke highly of the services of Dr. Foster and his work at the hospital, and insisted that the staff that had been made were less than those made in many banks and private business houses. He pointed out that the attendants and officers were poorly paid, and, indeed, stated as a fact that they received 25 per cent. less than any other hospital in the whole of the United States, outside of Virginia.

Absolutely Unjust.

Colonel Lane characterized the "conclusion" expressed in the expert accountants report as "absolutely unjust," and asserted that the report should have set out the facts without indicating the members of the board and the officers of the institution. It was the province